

Issuance Date: July 29, 2004
Effective Date: September 1, 2004
Expiration Date: June 30, 2009

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT NO. WA0003387

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-7775

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

ConocoPhillips Tacoma Terminal South
520 East "D" Street
Tacoma, WA 98421

Facility Location:
520 East "D" Street
Tacoma, WA 98421

Receiving Water:
Thea Foss Waterway

Water Body I.D. No.:
WA-10-0030

Discharge Location:
Latitude: 47° 15' 30" N
Longitude: 122° 25' 58" W

Industry Type:
Petroleum Bulk Station and Terminal

is authorized to discharge in accordance with the special and general conditions which follow.

Kelly Susewind, P.E., P.G.
Southwest Region Manager
Water Quality Program
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S2.A	Priority Pollutant Analysis	Yearly	December 15, 2004
S3.A	Discharge Monitoring Report	Monthly	October 15, 2004
S3.E	Noncompliance Notification	As necessary	Immediate notification and a written report to within 30 days of becoming aware of noncompliance
S4.A	Operations and Maintenance Manual Update or Review Confirmation Letter	Annually	On or before December 31, 2004
S4.B	Reporting Bypasses	As necessary	Immediate notification
S5.	Spill Plan	1/permit cycle, updates submitted as necessary	November 1, 2004
S8.A1	Stormwater Pollution Prevention Plan	1/permit cycle	December 1, 2004
S8.B2	Stormwater Pollution Prevention Plan Modifications	As necessary	At least 30 days prior to implementation of the proposed changes
S8.C2	Notification of Unpermitted non-stormwater to <i>Stormwater Drainage System</i>	As necessary	Immediate notification
G1.C	Notice of Change in Authorization	As necessary	Either prior to or together with any submittal following change in authorization
G4.	Permit Application for Substantive Changes to the Discharge	As necessary	At least 60 days prior to any proposed changes
G5.	Engineering Report for Construction or Modification Activities	As necessary	At least 180 days prior to planned start of construction
G7.	Application for permit renewal	1/permit cycle	At least 180 days prior to the expiration date of the permit
G8.	Notice of Permit Transfer	As necessary	Within 30 days of permit transfer

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

A. Process Wastewater Discharges

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge treated stormwater and tank hydrotest water at the permitted location subject to meeting the following limitations:

	EFFLUENT LIMITATIONS: OUTFALL # 001	
Parameter	Average Monthly^a	Maximum Daily^b
	Standard Units (SU)	
pH	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9	
	Milligrams per Liter (mg/L)	
Total Suspended Solids (TSS)	30	45
Oil and Grease (O&G)	10	15
	No visible sheen	
Total Petroleum Hydrocarbons-Gasoline (TPH-G)		1.0
Total Petroleum Hydrocarbons-Diesel (TPH-D)		10.0
	Micrograms per Liter (µg/l)	
Benzene		40
Ethylbenzene		100
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average monthly effluent limitation applies to that sample.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant		

measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day.

S2. MONITORING REQUIREMENTS

A. Monitoring Schedule

Parameter	Units	Minimum Sampling Frequency	Sample Type
Flow	Gallons per day (gpd)	Continuous	Metered and Recorded
pH ¹	Standard Units	Daily	Grab
TSS	mg/L	Monthly	Grab
O&G	mg/L	Daily	Visual Inspection
O&G	mg/L	Monthly	Grab
Total Petroleum Hydrocarbons-Gasoline (TPH-G) ²	mg/L	Monthly	Grab
Total Petroleum Hydrocarbons-Diesel (TPH-D) ³	mg/L	Monthly	Grab
Benzene	µg/L	Monthly	Grab
Ethylbenzene	µg/L	Monthly	Grab
Benzene, Toluene, Ethylbenzene, and Xylenes (BTEX) ⁴	Micrograms per liter (µg/L)	Monthly	Grab
Priority Pollutants ⁵	µg/L	Yearly	Grab
Copper, Lead, Zinc	µg/L	Monthly ⁶	Grab
Copper, Lead, Zinc (In tank hydrotest wastewater ⁷)	µg/L	When generated	Grab

¹pH can be monitored in-house using EPA Method 150.1. The results shall be recorded in a log book available for inspection.

²TPH-G shall be measured using Ecology method WTPH-G (gasoline), or approved equivalent method(s).

³TPH-D shall be measured using Ecology method WTPH-D (diesel), or approved equivalent method(s).

⁴BTEX shall be measured as the sum of benzene, ethylbenzene, toluene, and xylenes using Ecology Method for BTEX, or approved equivalent method(s).

⁵Priority pollutants are listed in 40 CFR 401.15. Priority Pollutants shall be sampled each year in October and reported no later than December 15th of the same year.

⁶Beginning with first month of permit effective date or the first month after installation of effluent filters, for twelve consecutive discharge months. Both dissolved and total recoverable fractions of final effluent shall be tested and reported. Effluent filters shall be installed no later than 30 days after permit effective date.

⁷If tank hydrotest wastewater is generated, then this wastewater will be sampled and analyzed for both dissolved and total recoverable metals before the wastewater is released to the treatment system.

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

D. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 Washington Administrative Code (WAC). Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Crops, soils, and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by the Department.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of this permit. Monitoring results shall be submitted monthly. Monitoring data obtained during the month shall be summarized and reported on the monthly forms as provided, or otherwise approved, by the Department, and be postmarked or received no later than the 15th day of the month following the month in which the monitoring took place.

Water Quality Permit Coordinator
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Southwest Regional Office
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Olympia, WA 98504-7775

All lab reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL), lab practical quantitation limit (PQL), reporting units and concentration detected.

Discharge Monitoring Report (DMR) forms must be submitted quarterly whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and clean up unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any violation immediately and submit the results to the Department within 30 days after becoming aware of the violation;
2. Immediately notify the Department of the failure to comply; and
3. Submit a detailed written report to the Department within 30 days (five days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S4. OPERATION AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. Operations and Maintenance Manual

An update for the Operations and Maintenance (O&M) Manual shall be prepared by the Permittee in accordance with WAC 173-240-150 and be submitted to the Department by December 31, 2004. The O&M Manual shall be reviewed by the Permittee at least annually and the Permittee shall confirm this review by letter to the Department on or before December 31, each year starting in 2004. Substantial changes or updates to the O&M Manual shall be submitted to the Department whenever they are incorporated into the Manual.

The O&M Manual shall be kept available at the permitted facility and all operators shall follow the instructions and procedures of this Manual.

The following information shall be summarized in the initial chapter of the O&M manual. This chapter shall be entitled the "Treatment System Operating Plan." For the purposes of this NPDES permit, a Treatment System Operating Plan (TSOP) is a concise summary of specifically defined elements of the O&M Manual. The TSOP shall not conflict with the O&M Manual and shall include the following information:

1. A baseline operating condition which describes the operating parameters and procedures used to meet the effluent limitations of S1.
2. The monitoring and reporting shall be described in the plan.
3. In the event of an upset, due to plant maintenance activities, severe stormwater events, start ups or shut downs, or other causes, the plan shall describe the operating procedures and conditions employed to mitigate the upset.
4. A description of any regularly scheduled maintenance or repair activities at the facility which would affect the volume or character of the wastes discharged to the wastewater treatment system and a plan for monitoring and treating/controlling the discharge of maintenance-related materials (such as cleaners, degreasers, solvents, etc.).

B. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the collection or treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass -- Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department in accordance with condition S3.E "Noncompliance Notification."

2. Anticipated Bypass That Has The Potential to Violate Permit Limits or Conditions -- Bypass is authorized by an administrative order issued by the Department. The Permittee shall notify the Department at least 30 days before the planned date of bypass. The notice shall contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) if a water quality criteria exceedence is unavoidable, a request for modification of water quality standards as provided for in WAC 173-201A-110, and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an Administrative Order:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible.

3. Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

S5. SPILL PLAN

By November 1, 2004, the Permittee shall submit to the Department an updated spill control plan for the prevention, containment, and control of spills or unplanned discharges of 1) oil and petroleum products, 2) materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or 3) other materials which may become pollutants or cause pollution upon reaching state's waters. The Permittee shall review and update the Spill Plan, as needed, at least annually. Changes to the plan shall be sent to the Department. The plan and any supplements shall be followed throughout the term of the permit.

The updated spill control plan shall include the following:

- A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
- A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
- A list of all oil and chemicals used, processed, or stored at the facility which may be spilled into state waters.

For the purpose of meeting this requirement, plans and manuals, or portions thereof, required by 33 CFR 154, 40 CFR 109, 40 CFR 110, 40 CFR Part 112, the Federal Oil Pollution Act of 1990, Chapter 173-181 and contingency plans required by Chapter 173-303 WAC may be submitted.

S6. ACUTE TOXICITY

Reserved. Acute toxicity testing may be required in a future permit.

S7. CHRONIC TOXICITY

Reserved. Chronic toxicity testing may be required in a future permit.

S8. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

The definitions of terms used in this section are provided in the guidance document entitled *Stormwater Pollution Prevention Planning for Industrial Facilities*, which is published by the Department of Ecology.

A. General Requirements

1. Submission, Retention and Availability:

The Permittee shall submit a copy of the SWPPP to the Department by within three months after permit effective date for review and comment. A copy of the SWPPP shall be submitted to the municipal operator of the storm sewer system. The SWPPP and all of its modifications shall be signed in accordance with Special Condition G.1. Retain the SWPPP on-site or within reasonable access to the site.

2. Modifications:

The Permittee shall modify the SWPPP whenever there is a change in design, construction, operation, or maintenance which causes the SWPPP to be less effective in controlling the pollutants. Whenever the description of potential pollutant sources or the pollution prevention measures and controls identified in the SWPPP are inadequate, the SWPPP shall be modified, as appropriate, within two months of such determination. The proposed modifications to the SWPPP shall be submitted to the Department at least 30 days in advance of implementing the proposed changes in the plan unless the Department approves immediate implementation. The Permittee shall provide for implementation of any modifications to the SWPPP in a timely manner.

3. The Permittee may incorporate applicable portions of plans prepared for other purposes. Plans or portions of plans incorporated into a SWPPP become enforceable requirements of this permit.

4. The Permittee shall prepare the SWPPP in accordance with the guidance provided in the *Stormwater Pollution Prevention Planning for Industrial Facilities*. The plan shall contain the following elements:

- a. Assessment and description of existing and potential pollutant sources,
- b. A description of the operational BMPs,
- c. A description of selected source-control BMPs,
- d. When necessary, a description of the erosion and sediment control BMPs,
- e. When necessary, a description of the treatment BMPs, and
- f. An implementation schedule.

B. Implementation

The Permittee shall conduct two inspections per year; one during the wet season (October 1 - April 30) and the other during the dry season (May 1 - September 30).

1. The wet season inspection shall be conducted during a rainfall event by personnel named in the SWPPP to verify that the description of potential pollutant sources required under this permit is accurate; the site map as required in the SWPPP has been updated or otherwise modified to reflect current conditions; and the controls to reduce pollutants in stormwater discharges associated with industrial activity identified in the SWPPP are being implemented and are adequate. The wet-weather inspection shall include observations of the presence of floating materials, suspended solids, oil and grease, discolorations, turbidity, odor, etc. in the stormwater discharge(s).
2. The dry season inspection shall be conducted by personnel named in the SWPPP. The dry season inspection shall determine the presence of unpermitted non-stormwater discharges such as domestic wastewater, noncontact cooling water, or process wastewater (including *leachate*) to the *stormwater drainage system*. If an unpermitted, non-stormwater discharge is discovered, the Permittee shall immediately notify the Department.

C. Plan Evaluation

The Permittee shall evaluate whether measures to reduce pollutant loadings identified in the SWPPP are adequate and properly implemented in accordance with the terms of the permit, or whether additional controls are needed. A record shall be maintained summarizing the results of inspections and a certification, in accordance with Condition S3.B. and G.1, that the facility is in compliance with the plan and this permit and identifying any incidents of noncompliance.

S9. BEST MANAGEMENT PRACTICES

1. The oil/water separators shall be inspected on a weekly basis at minimum and maintained as needed to ensure satisfactory performance. Oil sludges shall be disposed of in a manner that will not cause water quality degradation to state waters. A record of inspection, maintenance, and disposal shall be kept on file and available for review by the Department.
2. All stormwater runoff from the containment tank farm shall be directed to the existing oil/water separator for treatment prior to discharge. Stormwater runoff from the product transfer area shall be collected and treated through an activated carbon system prior to discharge to the main oil/water separator.
3. All detergent washing of vehicles shall be conducted on established wash racks which drain in to the sanitary sewer.
4. In the event of an accidental discharge of oil, chemicals, toxic, or hazardous materials into waters of the state or onto land with a potential for entry into state waters, including groundwater, representatives of the Southwest Regional Office Spill Response Team shall be notified immediately (within 24 hours) at (360) 407-

6300. A written spill report shall be submitted to the Department of Ecology, Water Quality Program, within five days of the time the Permittee becomes aware of the circumstances, unless the Department waives or extends this requirement on a case-by-case basis.

5. No emulsifiers or dispersants and no fire suppression foam agents and wash water shall be released to the oil/water separators.
6. Contained, collected or accumulated oils and solvents shall be discharged directly to the waste oil tank and not discharged to the oil/water separators or any sewer systems. Records or manifests for the waste oil disposal (hauling) shall be kept on-site and made available for inspection.
7. BMPs shall be employed on-site to reduce dust and debris by sweeping the area impacted by heavy vehicle traffic whenever weather permits.
8. All tank water drawn shall be hauled off-site for proper disposal.
9. Once during each pipeline receipt from the dock or via Olympic Pipeline, a walk through inspection shall be conducted on the transfer line starting from the manifold area and proceeding to the individual tank during the transfer process.
10. A daily inspection shall be conducted in the tank farm for leaks and spills.
11. Sludges, scales, and sediments from tanks shall be disposed of in an approved manner other than to waters of the state, and other than to the sanitary sewer system.
12. All barrels, drums, or similar containers containing toxic or deleterious materials, including, but not limited to petroleum products, organic solvents, resins, strong acids and bases, cyanides, and heavy metal salts, shall be stored in an upright position, in a bermed, covered area sufficient to prevent discharge into state ground or surface waters in the event of leakage or rupture.
13. Empty barrels shall be stored with all openings plugged, in an upright position, and at least 20 feet from a storm drain.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described above and submitted to the Department, and
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of B.2. must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;
- B. To have access to and copy at reasonable times any records that must be kept under the terms of the permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to the Revised Code of Washington 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a material change in the quantity or type of discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner and;
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G10. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G11. TOXIC POLLUTANTS

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the Department shall institute proceedings to modify or revoke and reissue the permit to conform to the new toxic effluent standard or prohibition.

G12. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G13. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G14. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.